

CHAPTER NO. 354

SENATE BILL NO. 1291

By Cooper

Substituted for: House Bill No. 1339

By Shepard

AN ACT To amend Tennessee Code Annotated, Title 68, Chapter 140, Part 5, relative to emergency services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-140-514, is amended by designating the existing language as subsection (a) and by adding the following as subsection (b):

(b)(1) All materials, documents, and other matters relating to, compiled or created in the course of an investigation conducted by the department pursuant to this section shall be exempt from the public records act until the filing of a notice of charges. After the filing of a notice of charges, only the information and those materials and documents upon which the charges are based are available for disclosure under the public records act; provided, that the identifying information of the following, as well as all investigator created documents and reports, shall remain confidential at all times unless and until introduced in the proceedings of a hearing conducted by the board:

(A) A complainant;

(B) Any witness who requests anonymity;

(C) A patient; and


(D) Medical records.

(2) This section does not modify or limit the prehearing discovery provisions set forth in the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, Part 3.

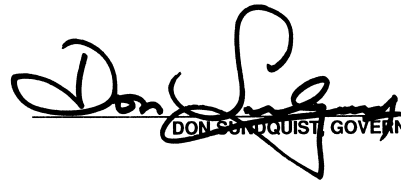
SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 31, 2001


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 7th day of June 2001


DON SUNDQUIST, GOVERNOR